685 If the offense is admitted, punishment follows immediately. With theft, for instance, the person who has committed larceny must make a restitution of double the value. In some tribes, the thief if condemned to lose an ear, a finger, a hand, sometimes a foot. Often he may be sold into slavery. Among the Fan he has merely to return twice the amount stolen.

684 In case of adultery, the culprit pays the value of the woman and is also often kept prisoner for a long time in the plaintiff's village; his head is shaved and he is exposed to the sun, covered with spices. If payment is not made, and even if it is, the woman's father or husband has the right -- and makes use of it -- to cut the joints of the culprit's fingers so that he is made almost powerless. Women are cruelly beaten and spices are rubbed into her wounds. She is also chastised with the [413] nkôñ éki, (2) a kind of long iron shears used to pinch deeply and

2. This is the name of certain villages where the blacksmiths are found who are skilfull in making these instruments of torture.

cruelly burn the genital organs. At the second offense her nose and ears are cut off; a third brings death.

682 In case of murder, the murderer, when captured, is killed and eaten. Furthermore, his family must pay compensation with a woman or the equivalent value, that is, two lives for one.

695 For all other charges and for those just mentioned, when the acknowledged or presumed culprit denies his guilt, judicial trial is required. [560]

Whatever the ordeal, they may all be considered from two points of view, or even are of two degrees. The first ordeal is intended to "indicate" the likely culprit; the second, to decide whether or not he is really guilty. Punishment is immediate and strikes simultaneously at body and soul.

The first step is therefore to discover the culprit. With theft, murder, or sorcery, the ordeals vary according to the case.

695 boil his own totem in the pot, but so has the practitioner, in
682 order to counterbalance the power of the accused man's totem.

The red-hot iron test, éki biân or biân éki biân, is the third ordeal.

The accused man's knife is heated red hot, then pressed to his cheek; if the cheek is burnt, he is guilty; otherwise, he is declared innocent. He has the right to throw into the fire, in which the iron is heated, the ashes of his individual totem; he also has the right to rub with this same totem that part of his body to which the red-hot iron will be applied.

There is no need to dwell on how easy subterfuges would be, all the more so since before each ceremony the presumed culprit is allowed to apply a few strong poultices or substances to harden his skin. The totem would then be only more effective!

If declared innocent, the accused man nevertheless owes a sacrifice to his mvane, a debt that will be readily discharged.

685 In case of theft there are also three tests used, as follows:
695 for the otura biân, the practitioner lights a large fire in
787 the middle of the village, fed with special kinds of wood. When the fire has caught well, he throws an armful of wet leaves on it; he then moves back, having pronounced above the rising smoke certain magical words. The column of smoke at first rises straight up; suddenly, without wind (often there is not a breath), without any visible physical action on the part of the practitioner or anyone else (because they are all at a distance), it curves inward, we are told, eddies, and then advances towards a hut which it completely envelopes. The hut's owner is immediately seized and declared guilty [562]; however, he can insist on drinking the test poison, provided that he is buying back his life for the first time. One cannot redeem oneself from the test poison.

The smoke test has always seemed to me one of the most difficult to explain. I have witnessed it several times and in spite of the closest attention have not been able to perceive the least trickery.

685 A second test is the following: the practitioner lies on the
695 ground and appears to listen to mysterious voices which are heard,
787 in fact, as if coming out of the earth. Probably a simple effect of
198

685 ventriloquism is involved; certain practitioners are past masters
695 at it. The voices mention three names, which the practitioner
787 repeats aloud. Each of the presumed culprits must then bring a
198 fowl; these are slaughtered by the practitioner and their blood is poured on the ground. The first sign is deduced from the way in which the drops fall and the forms they take. The fowls are then cut open, and the position of the liver and the final contractions of nerves and muscles corroborate the first indications.

685 The totem plays only an inconspicuous part in this test,
695 which in any case is rarely used nowadays.
787 The most frequent test is the akala-nkal, thus called after the fetish nkal, which is kept in an antelope horn or large snail (ngôn). The practitioner heats water, mixing in different kinds of plants, and adds, to satisfy those who may think they are suspected, some of the ashes of their totemic sacrifice.

When evening comes, every man prepares a fire of wood and bamboo in front of his hut. The chief then goes through the brightly lit village, invoking guardian spirits and threatening the thief or thieves with terrible vengeance. Then he runs and jumps over all the bonfires, the men and women of the village following after him. If a man or woman should touch one of the brands with a foot so as to make it roll off the fire, that person is declared guilty. While undergoing the nkal test, the chief carries his totem in his hand. If all come through safely, the chief starts again on his own, this time holding the village totem, show everybody's innocence even more. [563]

After this first trial, which everyone usually gets through with the greatest ease, the one or more accused if such there be, if not, all the men of the village, take a drink of lustral water which the practitioner has just boiled; then they take a few steps and spit on the nkal, which has been put on the ground. Each person then steps over the nkal, swearing his innocence, and starts once more to leap over all the bonfires. If he is not hurt, he is declared innocent. It is extremely rare that, from the effects of the poison or for some other reason, one or another does not stumble over a brand and knock it out of the fire. He is thereupon declared guilty; if he denies it, he will have to drink the élûñ; if on the contrary, he saves his life but has to repay the theft twice over.